

REMARKS/ARGUMENT

Claims 1-3, 5-10, 12-16 and 18-31 are pending. Claims 1, 8, 14, 20, 24 and 28, the independent claims, have been amended.

The Office Action did not include an initialed copy of the PTO/SB/08 form that accompanied the Information Disclosure Statement dated March 18, 2004. For the convenience of the Examiner, a duplicate copy of that form is enclosed herewith. The Examiner is requested to initial the form and return it with the next Office Action.

Claims 1, 2, 5-9, 12-15, 18, 19, 20-22, 24-26 and 28-30 were rejected under 35 U.S.C. § 103 over U.S. Patent 5,812,688 (Gibson) in view of U.S. Patent 5,208,860 (Lowe). Claims 23, 27 and 31 were rejected under 35 U.S.C. § 103 over Gibson and Lowe and further in view of U.S. Patent 6,459,797 (Ashour). Claims 3, 10 and 16 were rejected under 35 U.S.C. § 103 over Gibson and Lowe and further in view of U.S. Patent 5,666,136 (Fujishita).

Applicants submit that independent claims 1, 8, 14, 20, 24 and 28 are patentable for at least the following reasons. The amendments to claims are supported at least by the specification at page 1, lines 11-16 and page 12, lines 1-17 and Figures 5 and 6.

Amended claim 1 is directed to an audio system operable to change an acoustic effect using a digital signal processor. The audio system includes: image display for displaying image data beforehand set respectively to a plurality of types of parameters input to the digital signal processor to determine acoustic characteristics and values of the parameters, corresponding to values of the parameters; and operator display for displaying, for each of the parameter types, a parameter operator to indicate a value of a parameter reflecting a distance characteristic parameter to determine an acoustic characteristic obtained by a distance between a listener and a sound source. The operator display includes a parameter area, which displays a

name of the parameter as one or more characters, and a parameter operator area, through which a value of the parameter is set. The parameter is capable of being designated through the operator display, and the image display variably displays image data depending on the value of the parameter reflecting the distance characteristic parameter designated through the operator display. Amended claim 1 is believed patentable for at least the following reasons.

Independent claim 1 includes, *inter alia*, the following features:

- (a) The audio system is operable to change an acoustic effect using a digital signal processor.
- (b) The parameter is input into the digital signal processor.
- (c) The operator display comprises a parameter area (e.g., 51) and a parameter operator area (e.g., 52).
- (d) The parameter area displays a name of the parameter in one or more characters.
- (e) A value of the parameter is set through the parameter operator area.

None of cited references discloses the above features (a) – (e).

The position was taken in the Office Action that Lowe teaches an operator display for displaying a parameter operator to indicate a value of a parameter reflecting a distance characteristics parameter to determine acoustic characteristics obtained by distance between a listener and a sound source (see page 3, lines 7-11 of the Office Action). Applicants disagree with this assertion.

Figs. 5a-5k of Lowe show loudspeakers 501, 502, listener 503, and image X of a sound source. The listener distance (d) described in Fig. 5m refers to a distance between the loudspeakers 501, 502 and the listener 503. Lowe refers to image azimuth angle being 60 degrees, but does not refer to a distance between the listener 503 and the image X, which corresponds to the sound source.

The Office Action states that Gibson teaches image display for displaying image data beforehand set respectively to a plurality of types of parameters to determine acoustic characteristics and values of the parameters, corresponding to values of the parameters. Acoustic characteristics in Gibson refers to audio characteristics of the source signal (see column 5, lines 35-38 of Gibson). The distance (d) of Lowe does not belong to the audio characteristics of the source signal, but is one of parameters indicating a listening circumstance.

In fact, neither Gibson nor Lowe refers to the distance between the listener and the sound source. For at least the reasons set forth in the foregoing paragraphs, independent claim 1 is believed clearly patentable over the cited art.

The other amended independent claims recite a feature substantially similar to that discussed above in connection with amended claim 1 and are believed patentable for substantially similar reasons.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Application No.: 09/593,866

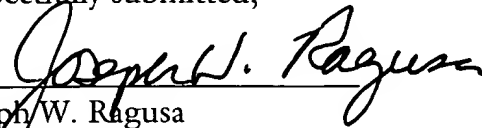
Docket No.: T2171.0184/P184

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Dated: September 30, 2004

Respectfully submitted,

By


Joseph W. Ragusa

Registration No.: 38,586

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant